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FINANCIAL, BUDGETARY AND ADMINISTRATIVE MATTERS

UNDP FINANCIAL REGULATIONS

Matters on which consensus was not achieved at the thirty-ninth session

Report of the Administrator

SUMMARY

At its thirty-ninth session (1992), the Governing Council considered proposed financial regulation 4.6 and other matters on which consensus had not been achieved.

By its decision 92/40 of 26 May 1992, the Governing Council decided that the Budgetary and Finance Committee will consider, at its fortieth session (1993), proposed financial regulation 4.6 and the other matters on which consensus was not reached at the thirty-ninth session (1990).

As no new elements regarding this item have been introduced since the thirty-third session of the Council (1986), the Administrator is of the opinion that the substance of his note submitted to that session, contained in document DP/1986/63, and which is reproduced in the present document, will provide the Council with the basis for its consideration of this item at the current session. Should consensus be reached, appropriate modification to the proposed texts will be made.

Proposed Financial Regulation 4.6 (text A in the annex)

1. This text, which was proposed by a member of the Governing Council at its twenty-eighth session (1981), provides a definition of the term "readily usable" with respect to the currency of voluntary contributions. This definition provides that a voluntary contribution to UNDP shall be deemed readily usable if previous accumulations of contributions from the donor country amount to less than the contribution itself; the definition must be read in conjunction with the existing Financial Regulation 4.5, the text of which is as follows:

> "Voluntary contributions shall be made in currencies which are readily usable by UNDP, consistent with the need for efficiency and economy of operations, or convertible to the greatest possible extent into currencies readily usable by UNDP."

Subparagraph 8 (b) of decision 81/16 (text B in the annex)

2. This text also appears as paragraph 16 (b) of decision 80/30, "Preparations for the third programming cycle, 1982-1986". The words contained in round brackets in the text as shown in the annex reflect proposals put forward by two groups of members of the Governing Council; the two different versions of this subparagraph can be rendered as follows:

Version 1 In view of the multilateral nature of the Programme, non-recipient donor countries which make their voluntary contributions wholly or partly in non-convertible currencies shall pay a gradually increasing share of their contributions in convertible currencies so that their contributions will be fully convertible by the year 1985.

Version 2 In view of the multilateral nature of the Programme, non-recipient donor countries which make their voluntary contributions wholly or partly in their national non-convertible currencies are requested to pay, if possible, a gradually increasing share of their contributions in convertible currencies.

Subparagraph 8 (c) of decision 81/16 (text C in the annex)

3. This text also appears as paragraph 16 (c) of decision 80/30, "Preparations for the third programming cycle, 1982-1986". The words contained in round brackets in the text as shown in the annex reflect proposals put forward by different members of the Governing Council; two different versions of this subparagraph can be rendered as follows:

Version 1 Meanwhile, entities headquartered in a net donor country which has contributed in a non-convertible currency shall be reimbursed for services and equipment purchased under the Programme only in the currency of that country where such a currency is accumulated and until such accumulation is used; conversely, if, when utilizing a non-convertible contribution,

costs are incurred in other currencies, these shall be reimbursed to UNDP in the form of a convertible share of the non-convertible contributions.

Version 2 Meanwhile, entities headquartered in a net donor country which has contributed in a non-convertible currency shall be reimbursed for services and equipment purchased under the Programme in the currency in which the contribution is paid where such a currency is accumulated and until such accumulation is used.

These texts should be read in conjunction with the decision taken by the Council in February 1977, which reads as follows:

"Requested the Administrator to take the necessary steps to ensure that all payments for goods and services (including the provision of equipment, subcontracts, transport, etc.) rendered to all UNDP-financed projects by entities headquartered in countries whose currencies have been accumulated in UNDP are made exclusively in currencies in which their country contribution is paid to UNDP until these accumulations are used, and further requested the Administrator to make a detailed status report to the Governing Council as soon as possible but not later than the twenty-sixth session of the Council on (i) the measures he has taken to implement this request; and (ii) the problems, if any, he has encountered in its implementation." 1/

4. The Council is requested to consider whether agreement can be reached on the matters contained in these texts so that the UNDP Financial Regulations can be issued in final form. Any agreement reached regarding the matters covered by texts B and C would need to be reflected in appropriate financial regulations. It should also be noted that there should be no inconsistency between the conclusions which may be reached on these texts; for example, agreement on a text similar to version 1 of text B would remove the need for a definition as proposed in text A.

Notes

1/ Official Records of the Economic and Social Council, Sixty-third Session, Supplement No. 3 (E/5940, para. 58 (n)).

Annex

TEXTS ON WHICH CONSENSUS HAS NOT BEEN ACHIEVED

A. Proposed Financial Regulation 4.6:

[Regulation 4.6: A voluntary contribution to UNDP shall be deemed readily usable if previous accumulations of contributions from the donor country amount to less than the contribution itself.]

B. Subparagraph 8 (b) of decision 81/16:

[In view of the multilateral nature of the Programme, non-recipient donor countries which make their voluntary contributions wholly or partly in (their national) non-convertible currencies (shall pay) (are requested if possible to pay) a gradually increasing share of their contributions in convertible currencies (so that their contributions will be fully convertible by the year 1985)]

C. Subparagraph 8 (c) of decision 81/16:

[Meanwhile, entities headquartered in net donor countries which have contributed in non-convertible currencies where such currencies are accumulated and until such accumulations are used shall be reimbursed for services and equipment purchased under the Programme (only in the currency of that country) (in the currencies in which their contribution is paid): (conversely, if, when utilizing a non-convertible contribution, costs are incurred in other currencies, these shall be reimbursed to UNDP in the form of a convertible share of the non-convertible contributions)]